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Attorneys for Plaintiff
YINTAO YU

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

YINTAO YU, an individual,

Plaintiff,

v.

BYTEDANCE, INC., a Delaware
Corporation; SHUYI (SELENE) GAO, an
individual,

Defendants.

BYTEDANCE, INC., a Delaware
Corporation,

Counterclaimant,

v.

YINTAO YU, an individual,

Counter-Defendant.

Case No. 3:23-cv-04910-SI

**DECLARATION OF YINCHU XIA IN
SUPPORT OF PLAINTIFF'S MOTION
FOR LEAVE PURSUANT TO CIVIL L.R.
7-9**

State Action Filed: September 5, 2023

Removed: September 25, 2023

Trial Date: November 18, 2024

1 I, Yinchu Xia, declare as follows:

- 2 1. I am over the age of 18 and a resident of the State of Washington. I have personal
3 knowledge of the facts set forth below and if called as a witness, I could and would
4 competently testify to these matters.
- 5 2. I have known Yintao Yu since around 2003. However, prior to August 2023, I had not
6 spoken to Mr. Yu in several years.
- 7 3. On Friday, August 18, 2023, I unexpectedly received a business card with contact
8 information for Rick Bourns. Attached hereto as **Exhibit A** is a true and correct copy of
9 photographs I took of the business card.
- 10 4. The business card was passed to me by a property manager of my building. The property
11 manager told me that there was a man who tried to sneak into our building, a gated
12 building, and tried to go upstairs to my apartment unit. My property manager told me that
13 he stopped that man on the first floor. According to my property manager, that man knew
14 my full name, knew my specific address including my apartment number, and knew quite
15 a lot of information about me. The man left a business card with a number.
- 16 5. The card identified Rick Bourns as a “Senior Investigator” at Holmes Risk Management
17 in Tukwila, Washington. On the back side of the card, there appeared to be handwritten
18 text that said, “Please call 206-605-4958”.
- 19 6. The fact that the investigator had snuck onto the property to go to my specific apartment
20 and that this stranger knew my full name and address left me feeling deeply unsettled for
21 my personal safety and privacy.
- 22 7. That same day, I called the 206-605-4958 number and spoke to that individual who
23 identified himself as Rick Bourns.
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1 8. On the call, Mr. Bourns described himself as “an independent investigator”. Mr. Bourns
2 asked me whether I knew Yintao Yu. I answered that I did know Mr. Yu.

3 9. Mr. Bourns told me “I represent ByteDance”. Mr. Bourns told me that Mr. Yu had
4 worked for ByteDance, and that he, Mr. Bourns, was hired by ByteDance to locate Mr.
5 Yu. Mr. Bourns told me that his client, ByteDance, had something to give Mr. Yu. Mr.
6 Bourns told me that ByteDance was trying to locate Mr. Yu, but had not been able to
7 locate Mr. Yu. When I inquired about the nature of the item that ByteDance wanted to
8 give to Mr. Yu, Mr. Bourns was evasive, and did not answer my question.

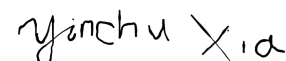
10 10. Mr. Bourns asked me if I knew the address Mr. Yu lived at then. I answered that I did not
11 know Mr. Yu’s address.

12 11. Mr. Bourns asked me to have Mr. Yu call him at 206-605-4958, the number he wrote on
13 his business card.

14 12. Given ByteDance sent someone to my residence, I suspect that I was not the only
15 acquaintance of Mr. Yu who was approached by a private investigator on behalf of
16 ByteDance. I am not aware of other efforts Mr. Bourns has made to locate Mr. Yu and I
17 don't know why Mr. Bourns and ByteDance wanted to locate Mr. Yu. The way Mr.
18 Bourns and ByteDance apparently trespassed near my home to locate Mr. Yu was rattling.
19 It made me feel concerned for Mr. Yu’s safety.

20
21
22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

24 Executed on May 20, 2024 at Ballard, Washington.

25
26 

27
28 YINCHU XIA

EXHIBIT A



H|R|M
Holmes Risk Management

Rick Bourns
Senior Investigator

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